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JENKINS & WILSON

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PATENT


Patty Wilson
Date of Signature 7/12/2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hallahan et al.

Group Art Unit: 1636

Serial No.: 09/914,605

Examiner: Ketter, James

Filed: November 9, 2001

Docket No.: 1242/21 PCT/US

Confirmation No.: 8170

For: X-RAY GUIDED DRUG DELIVERY

OFFICIAL

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Restriction/Election Requirement dated March 12, 2004, having a 1-month term for Response that expired on April 12, 2004. A Petition for a 3-month Extension of Time is hereby made extending the time for response up to and including July 12, 2004. Please charge Deposit Account No. **50-0426** in the amount of \$475.00 for a small entity. Favorable consideration is respectfully requested in view of the following Election and Remarks.

RESTRICTION PRESENTED

The claims have been restricted into the following groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-105	A method of targeting an active agent to a vertebrate tissue
II	106-152	A delivery vehicle comprising a target agent.

Application Serial No.: 09/914,605

APPLICANTS' ELECTION

Applicants hereby elect the invention of Group II, claims 106-152, drawn to a delivery vehicle comprising a target agent, for prosecution at this time

REMARKS

Claims 1-152 are now pending in the subject U.S. patent application. Claims 1-152 as filed have been subjected to a Restriction/Election Requirement.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group II, claims 106-152, for prosecution at this time.

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

Deposit Account

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: 07/12/2004

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